

REMARKS

Favorable reconsideration in view of the previous amendments and following remarks is respectfully requested.

Claims 1-15, 17, 19-31, 33-40, 42-55, 57, and 59-60 are pending. By this Amendment, claims 18 and 58 are canceled, and claims 1, 14, 30, 38, 39, 42, 45, 50, 54, 57 and 59 are amended and new claim 60 is added. No new matter has been added.

Applicant appreciates the indication that claims 17, 57 and 59 contain allowable subject matter.

The Office Action rejects claims 1, 17 and 18 under 35 U.S.C. §112, first paragraph, because the recitation in claim 1 of "a chamber adapted to be in fluid communication with said hood member of a first valve" is allegedly misdescriptive. Claims 1 and 17 are amended to address the Examiner's concerns. Claim 18 has been canceled. Applicant notes that claim 59 was not included in the rejection under 35 U.S.C. §112, first paragraph. Nonetheless, claim 59 is amended under the assumption that the Examiner inadvertently did not include claim 59.

The Office Action rejects claims 1-4, 10-14, 18 and 58 under 35 U.S.C. §102(b) over U.S. Patent No. 4,673,388 to Schlensog et al.; rejects claims 30-40 under 35 U.S.C. §102(b) over U.S. Patent No. 6,547,756 to Greter et al.; rejects claims 5-9 under 35 U.S.C. §103(a) over Schlensog et al.; rejects claims 15 and 19-29 under 35 U.S.C. §103(a) over Schlensog et al. in view of Greter; and rejects claims 42-55 under 35 U.S.C. §103(a) over Greter in view of Schlensog et al. These rejections are respectfully traversed.

In a nonlimiting example disclosed in Applicant's specification, a first valve may refer to the one way valve 70 which only allows air to enter the chamber 71 from a conduit 72. The conduit 72 is in turn in air communication with the hood 12. A second valve may be needle valve 48 which is operated by a valve motor 46 and is pneumatically connected with a nozzle 50 which is in turn pneumatically connected with the milk receiving bottle 18. The needle valve 48 may be opened by the valve motor 46 whereby air exits the bottle 18 via the nozzle 50 and subsequently out of the needle valve 48, thus allowing milk in the chamber 37 to fall through the one way valve 96 into the bottle 18. A third valve may be the one way valve 74 which only allows air to exit the chamber 71. A fourth valve may be the valve seat 88 having a recess 90 for receiving a pin 86 for selectively adjusting the amount of air allowed to enter the valve seat 88 to thereby fine tune the pressure within the hood 12 applied over a breast of a user. The recess 90 is in air communication with the hood 12, for example via a hose connected to the conduit 72.

Applicant respectfully traverses the Examiner's assertion that if Applicant defines a second valve as needle valve 48, the second valve/needle valve 48 is connected via hose through a nozzle 50 and connected with the milk receiving portion bottle 18 but not in fluid communication with the hood member 12 as previously recited in claim 1. Applicant notes that the needle valve 48 may be pneumatically connected with a nozzle 50 which is in turn a pneumatically connected with the milk receiving bottle 18. The hood 12 has a tunnel 14 leading to a connector 16 which fluidly communicates with the hood 12 and with the milk receiving bottle 18 via a valve seat 20. The valve seat 20 includes a one way valve 96 which allows milk to enter the bottle 18. Thus, the needle valve 48 is in fluid/air communication

with the hood member 12 via the nozzle 50, the milk receiving bottle 18, the valve 96 and the valve seat 20, the connector 16 and the tunnel 14. Nonetheless, claims 1, 30 and 59 have been amended to clarify this feature.

With respect to the rejection of independent claim 1 over the Schlensog patent, the Examiner asserts that in Schlensog when the motor is ON, the cover portion 181 can be pressed downward so that the projection 280 presses the valve 281 downward against a spring 289 and thereby connects the chamber 207 with the atmosphere through the opening 286. Thus, the Examiner asserts that the closure member (including the cover portion 181 and the projection 280) cooperates with the valve 281 to close the opening 286. When the motor is OFF, or the cover portion 181 is released, the spring 289, 230 and the projection 280 move upwards at which point the opening 286 is opened. This assertion is respectfully traversed.

Specifically, the closure member 181 and 281 are not operatively associated with the first motor 21. As disclosed in Schlensog at column 4, line 66 through column 5, line 8, the eccentric 212 of the motor 21 engages the oscillating control piston 252 of the flexible diaphragm 251 of the diaphragm pump 25. The chamber 255 of the pump 25 is connected, on the one hand, . . . with the atmosphere and, on the other hand, by way of the flutter valve 254 and the opening 253 with the chamber 207. There is no disclosure or suggestion that the motor 21 is in any way operatively associated with the lid/cover portion 181 or the projection 280. The function and operation of a lid portion 181 and the projection 280 are discussed at column 6, lines 18-33 which provides that "If the suction acting on the breast is felt to be too great, the cover portion 181 can be pressed downwards against a spring 289 and thereby connects the chamber 207 with the atmosphere through the opening 286." "When

the cover portion 181 is released, the spring 289 or/an auxiliary spring 230 press the valve 281 and the projection 280. In order to adjust the suction so that it is weaker, the slide 282 is shifted to the ring and the incline surface 287 is thereby shifted underneath the edge 288, the rest position of the projection 280 and accordingly of the valve 281 being displaced downward."

Thus, the operation of the lid/cover portion 181 and the projection 280 is in no way related to that of the motor 21. In particular, contrary to the Examiner's assertions, it can be seen that the cover portion 181 can be moved downwards or released whether the motor 21 is in operation or not. Thus, the cover portion 181 and the projection 280 are not operatively associated with the motor 21.

With respect to independent claim 30, claim 30 recites, in combination with other claimed features, an IR unit including at least one IR transmitter for transmitting IR signals and at least one IR receiver for receiving IR signals transmitted by said IR transmitter. The IR unit is provided in the second chamber which is in liquid communication with the hood member and the bottle.

The Greter patent discusses at column 2, lines 34-37, that programming can also be provided with other media including disks, CD's, infrared data transfer, electronic feed or internet connection etc. Thus, independent claim 30 is amended to clarify that the infrared feature is provided in the second chamber. The Greter patent is silent as to the location of any IR data transfer devices. Thus, Applicant's independent claim 30 is distinguishable over the Greter patent.

The dependent claims are allowable for at least the reasons discussed above as well as for the individual features they recite.

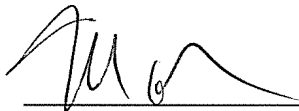
Early and favorable action with respect to this application is respectfully requested.

Should the Examiner have any questions regarding this Amendment or the application in general, he is invited to contact the undersigned at the number provided below.

Respectfully submitted,

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